

their legal representative; and if the sale shall not produce the sum required, with the incidental charges, then they may recover the remainder from the original proprietor or his assignee, or from his or her executor or administrator, by action in any court having jurisdiction thereof; and any purchaser of stock at such sale shall be subject to the same rules, regulations and laws as the original proprietor.

Right of way.

SEC. 10. The president and directors, their officers and servants shall have full power and authority to enter upon any lands or tenements through which they may desire to conduct their works, and may lay out the same at their discretion, so that no yard, mill-house or other building of any person be invaded without his consent, and they may enter on and lay out such contiguous lands as they may wish to occupy as sites for depots, toll-houses, warehouses, work-shops and other buildings for the proper accommodation of their officers, agents, horses and other stock, and for the protection of the property of the company: *Provided*, That the lands so laid out shall not exceed five acres in any one parcel, except as may be specially allowed by this act: *Provided*, Said company shall not obtrude any public road without making another good and convenient road.

Proviso.

Manner of obtaining lands for right of way.

SEC. 11. That when any land or right of way may be required by said company for any purposes set forth in this act, and for want of agreement or for any other cause the same cannot be purchased from the owner, the same may be taken at a valuation to be made by five freeholders selected by the Superior Court of the county in which the same is located. In making said valuation the freeholders shall take into consideration the loss or damage that may accrue to the owner or owners in consequence of the land or right of way being surrendered, and the benefits and advantage, general or special, which said owner or owners may receive by the general increased value of the land, or any special benefit which